

**REMARKS**

At the outset, Applicants request an interview to advance prosecution.

The Examiner rejected claims 1-8, 10-12, and 14-26 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,760,444 to Leung et al. (Leung) in view of U.S. Patent Publication No. 20020157024 to Yokote.<sup>1</sup>

By this amendment, Applicants amend claims 14, 16, 21, 24, 25, and 26 to more clearly define the features of those claims.

Claims 1-8, 10-12, and 14-26 are pending.

The Examiner rejected claims 1-8, 10-12, and 14-26 under 35 U.S.C. §103(a) as unpatentable over Leung in view of Yokote. Applicants respectfully traverse this rejection.

The key consideration in a proper rejection under 35 U.S.C. 103(a) is not whether the pending claims can be used as a “shopping list” for searching of the prior art for descriptions of features for assembly in a manner that is allegedly similar to the claimed subject matter, but rather whether the prior art references, each taken in their entirety for all that they would reasonably teach to one of ordinary skill in the art at the time of the instant invention, would have rendered the instantly claimed subject matter unpatentably obvious. Unfortunately, the rejections proffered by the Office in this matter have emphasized the first approach in assembling piecemeal elements from several references to create an alleged basis for *prima facie* obviousness while failing to properly consider whether the cited references, when taken as a whole, properly suggest the instantly claimed subject matter in a manner that would have caused one of ordinary skill in the art at the time of the present invention to have deemed it obvious.

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<sup>1</sup> Regarding the Examiner's Official Notice, Applicants note that the basis for taking Official Notice has been rendered moot based on the new rejection. In any case, Applicants maintain that the Official Notice was improper.

Turning to claim 1, it recites the following features:

- an application device;
- a service device;
- a communication network configured to connect said application device to said service device;
- an internet protocol security service unit configured to provide one or more internet protocol security services comprising at least one of authentication services and encryption services, said internet protocol security service unit deployed in said service device;
- at least one management client configured to issue, in response to communication received at said application device from a user equipment via a session key management protocol, security association management requests to create and manage, with said session key management protocol, security associations for use by said provided internet protocol security services, said at least one management client deployed in said application device; and
- a management server configured to receive said security association management requests issued from said at least one management client and to respond, in connection with said internet protocol security service unit, to said security association management requests received at said management server, said management server deployed in said service device.

On page 3 of the Office Action, the Examiner alleges that Leung at col. 7, lines 33-50 discloses the following feature of claim 1 “at least one management client configured to issue, in response to communication received at said application device from a user equipment via a session key management protocol, security association management requests to create and manage, with said session key management protocol, security associations for use by said provided internet protocol security services, said at least one management client deployed in said application device.” *However, it is clear that the Examiner has committed a clear error by ignoring the express language of claim 1.*

Specifically, claim 1 recites that the “at least one management client [is] configured to issue, in response to communication received at said application device from a user equipment via a session key management protocol, security association management requests to create and manage ... security associations ... .” But Leung’s server at col. 7, lines 33-50 has no need to ever issue security association management requests to create **and** manage security associations

because the Leung server merely obtains the security association from a “table.” Leung at col. 7, lines 35-38. Thus, the Examiner’s position flies-in-the-face of Leung, which makes clear that the Leung server has no need to issue, in response to communication received at said application device from a user equipment via a session key management protocol, security association management requests to create and manage security associations. Moreover, Yokote fails to cure this noted deficiency (nor does the Examiner allege that Yokote cures this deficiency). Therefore, claim 1, as well as claims 2-8, at least by reason of their dependency, are allowable over Leung and Yokote, whether taken individually, or in combination, and the rejection under 35 U.S.C. §103(a) of claims 1-8 should be withdrawn.

On pages 3-4 of the Office Action, the Examiner acknowledges that Leung fails to disclose or suggest “at least one management client [is] deployed in said application device.” To cure this gap in Leung, the Examiner relies on Yokote at paragraphs 0012 and 0066. However, a careful scrutiny reveals that those paragraphs do not disclose what the Examiner alleges. Instead, Yokote at paragraphs 0012 and 0077 generally discloses security associations but not that the “at least one management client [is] deployed in said application device.” Therefore, claim 1, as well as claims 2-8, at least by reason of their dependency, are allowable over Leung and Yokote, whether taken individually, or in combination, and the rejection under 35 U.S.C. §103(a) of claims 1-8 should be withdrawn for this additional reason.

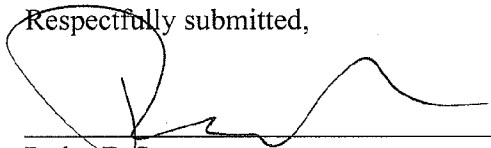
Independent claims 10, 14, 16, 18, 21, 22, 23, 24, 25, and 26, although of different scope, include features similar to those noted above with respect to claim 1. Therefore, claims 10, 14, 18, 21, 22, 23, 24, 25, and 26, as well as claims 11, 12, 15, 17, 19, and 20, at least by reason of their dependency, are allowable over Leung and Yokote, whether taken individually or in combination, and their rejection under 35 U.S.C. §103(a) should be withdrawn.

**CONCLUSION**

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

Applicant is concurrently filing herewith a Petition for a one-month extension of time with the requisite fee. Authorization for a credit-card payment of the filing fees mentioned above is submitted herewith. No additional fees are believed to be due, however the Commissioner is authorized to charge any additional fees or credit overpayments to Deposit Account No. 50-0311, reference No. 39700-606001US/NC39911US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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